

10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

CHARLES MILLS, CRAIG SOTOMAYOR, and  
BRADEN HOLLIDAY,

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

The Bellantoni Law Firm, PLLC, 2 Overhill Road, Suite 400, Scarsdale, New York 10583 abell@bellantoni-law.com

## DEFENDANTS

NEW YORK CITY, New York

## ATTORNEYS (IF KNOWN)

New York Law Department  
100 Church Street  
New York, New York 10007

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 USC 1983 (Second and Fourteenth Amendments)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

## IS THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES					
CONTRACT		PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
[ ] 110	INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS		
[ ] 120	MAR NE	[ ] 315 AIRPLANE PRODUCT	NJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM		
[ ] 130	MILLER ACT	LIAB LITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE REAPPORTIONMENT		
[ ] 140	NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	[ ] 410 ANTITRUST		
[ ] 150	RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIAB LITY	ASBESTOS PERSONAL NJURY PRODUCT LIAB LITY	PROPERTY RIGHTS		[ ] 430 BANKS & BANKING		
[ ] 151	MEDICARE ACT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 450 COMMERCE		
[ ] 152	RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIAB LITY	[ ] 370 OTHER FRAUD	[ ] 830 PATENT	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[ ] 460 DEPORTATION		
[ ] 153	RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK	SOCIAL SECURITY			
[ ] 160	STOCKHOLDERS SUITS	[ ] 355 MOTOR VEHICLE PRODUCT LIABILITY	PERSONAL PROPERTY		[ ] 861 HIA (1395ff)	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)		
[ ] 190	OTHER CONTRACT	[ ] 360 OTHER PERSONAL NJURY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 862 BLACK LUNG (923)	[ ] 480 CONSUMER CREDIT		
[ ] 195	CONTRACT PRODUCT LIABILITY	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	PROPERTY DAMAGE	[ ] 720 LABOR/MGMT RELATIONS	[ ] 863 DIWC/DIWV (405(g))	[ ] 485 TELEPHONE CONSUMER PROTECTION ACT		
[ ] 196	FRANCHISE	ACTIONS UNDER STATUTES		[ ] 740 RAILWAY LABOR ACT	[ ] 864 SSID TITLE XVI	[ ] 490 CABLE/SATELLITE TV		
REAL PROPERTY		CIVIL RIGHTS	[ ] 463 ALLEN DETAINEE	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[ ] 865 RSI (405(g))	[ ] 850 SECURITIES/COMMODITIES/EXCHANGE		
[ ] 210	LAND CONDEMNATION	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 790 OTHER LABOR LITIGATION	FEDERAL TAX SUITS			
[ ] 220	FORECLOSURE	[ ] 441 VOTING	28 USC 2255	[ ] 791 EMPL RET. NC SECURITY ACT (ERISA)	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 890 OTHER STATUTORY ACTIONS		
[ ] 230	RENT LEASE & EJECTMENT	[ ] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	[ ] 462 NATURALIZATION	[ ] 871 IRS-THIRD PARTY	[ ] 891 AGRICULTURAL ACTS		
[ ] 240	TORTS TO LAND	[ ] 443 HOUSING/ACCOMMODATIONS	[ ] 550 CIV L RIGHTS	APPLICATION	26 USC 7609	[ ] 893 ENVIRONMENTAL MATTERS		
[ ] 245	TORT PRODUCT LIABILITY	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION ACTIONS	[ ] 895 FREEDOM OF INFORMATION ACT			
[ ] 290	ALL OTHER REAL PROPERTY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 560 CIV L DETAINEE CONDITIONS OF CONFINEMENT					
[ ] 950 CONSTITUTIONALITY OF STATE STATUTES								

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF     2 U.S. DEFENDANT     3 FEDERAL QUESTION     4 DIVERSITY  
(U.S. NOT A PARTY)

**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:     WHITE PLAINS     MANHATTAN

/s/ Amy L. Bellantoni  
DATE 8/23/2023  
SIGNATURE OF ATTORNEY OF RECORD  
RECEIPT # ANYSDC-28186879

ADMITTED TO PRACTICE IN THIS DISTRICT  
 NO  
 YES (DATE ADMITTED Mo. 9 \_\_\_\_\_ Yr. 2002 )  
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)